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Jan. 21. 2008 12:49PM

No. 7104 P. 1

**D. PETER HOCHBERG CO., L.P.A.**

ATTORNEYS AT LAW

D. PETER HOCHBERG\*  
SEAN MELLINO  
DANIEL J. SMOLA

1940 EAST 6TH STREET - 6TH FLOOR  
CLEVELAND, OHIO 44114

INTELLECTUAL PROPERTY LAW

PATENT TRADEMARK  
AND COPYRIGHT LAW

TEL. (216) 771-3800  
FAX. (216) 771-3804

e-mail: dphochberg@aol.com

IAN M. SINGER\*\*\*

OF COUNSEL

\* ALSO ADMITTED IN  
VIRGINIA AND NEW YORK  
\*\*\* ADMITTED IN NEW YORK ONLY

January 21, 2008

Via fax only: 1 (571) 273-3201 - 9 pages

PCT Operations  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: Request for Corrected Filing Receipt for:  
Peck U.S. Patent Appln. 10/580,355 filed 05/23/2006  
SIFT MS INSTRUMENTS  
U.S. National Phase of PCT/NZ2004/000297 filed 11/24/2004  
Our Ref. RO4248US (#90568)

Dear Sir or Madam:

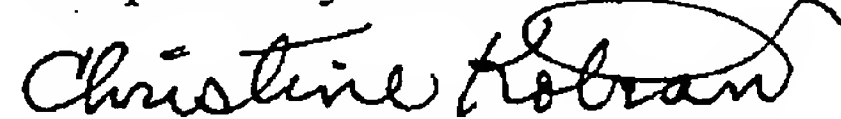
Attached is a copy of page 1 of the official Filing Receipt dated 12/28/2007 for the referenced application that contains an error in the "Foreign Applications" in that the identification of the prior New Zealand applications has been omitted. Please insert this information as noted below and as indicated on the attached copy of the Filing Receipt:

New Zealand Serial No. 528617 filed November 25, 2003  
New Zealand Serial No. 531103 filed February 12, 2004

The addition of this information is supported by the enclosed copies of the "Combined Declaration and Power of Attorney" (see top of p. 3) and of the Application Data Sheet (see item 5 on p. 2), both filed with the application.

As the omission of this data from the original Filing Receipt is the result of a USPTO error, please promptly prepare and send us a corrected Filing Receipt as soon as possible.

Respectfully submitted,



Christine Kotran  
for D. Peter Hochberg

Att.

Jan. 21. 2008 12:50PM

No. 7104 P. 2



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE RECD.	ATTY. DOCKET NO.	TOT CLAIMS	IND CLAIMS
10/580,355	05/23/2006	2881	450	NW4248US (#90586)	13	2

CONFIRMATION NO. 1738

FILING RECEIPT



OC000000027461167

28672  
D. PETER HOCHBERG CO. L.P.A.  
1940 EAST 6TH STREET  
CLEVELAND, OH 44114

Date Mailed: 12/28/2007

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections.

Applicant(s)

Geoffrey Charles Peck, ChristChurch, NEW ZEALAND;

Assignment For Published Patent Application

SYFT Technologies Limited, Middleton Christchurch, NEW ZEALAND

Power of Attorney:

Sean Mellino-48817

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/NZ04/00297 11/24/2004

Foreign Applications

→ **Insert:** New Zealand Serial No. 528617 filed November 25, 2003  
New Zealand Serial No. 531103 filed February 12, 2004

If Required, Foreign Filing License Granted: 12/27/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 10/580,355**

Projected Publication Date: 04/03/2008

Non-Publication Request: No

Early Publication Request: No

**\*\* SMALL ENTITY \*\***

Attorney Docket No. NW4248US (#90586)

**COMBINED DECLARATION AND POWER OF ATTORNEY**

(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL,  
DIVISIONAL, CONTINUATION OR CIP)

As a below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is of the following type: (check one applicable item below)

- ☐ original
- ☐ design

NOTE: If the declaration is for an International Application being filed as a divisional, continuation or continuation-in-part application do not check any of next two items and check appropriate one of last three items.

- ☒ national stage of PCT
- ☐ supplemental

NOTE: If one of the following 3 items apply then complete and also attach ADDED PAGES FOR DIVISIONAL, CONTINUATION OR CIP.

- ☐ divisional
- ☐ continuation
- ☐ continuation-in-part (CIP)

**INVENTORSHIP IDENTIFICATION**

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**TITLE OF INVENTION**

**IMPROVEMENTS IN OR RELATING TO SIFT-MS INSTRUMENTS**

**SPECIFICATION IDENTIFICATION**

the specification of which: (complete (a), (b), or (c))

- (a) ☒ is attached hereto.

- (b) ☐ was filed on as ☐ Serial No. \_\_\_\_\_ or  
☐ Express Mail No. \_\_\_\_\_, as Serial No. not yet known  
and was amended on \_\_\_\_\_ (if applicable).
- (c) ☐ was described and claimed in PCT International Application  
No. \_\_\_\_\_ filed on \_\_\_\_\_  
and as amendment under PCT Article 19 on \_\_\_\_\_ (if any).

#### ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations. Sec. 1.56(a).

- ☐ In compliance with this duty there is attached an information  
disclosure statement. 37 CFR 1.97.

#### PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code, Sec. 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(complete (d) or (e))

- (d) ☐ no such applications have been filed.  
(e) ☒ such applications have been filed as follows

NOTE: Where item (c) is entered above and the International Application which designated the U.S. claimed priority check item (e), enter the details below and make the priority claim.

EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

COUNTRY	APPLICATION NO.	DATE OF FILING (month, day, year)	PRIORITY CLAIMED UNDER 37 USC 119
_____	_____	_____	( ) YES NO ( )
_____	_____	_____	( ) YES NO ( )
_____	_____	_____	( ) YES NO ( )

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

New Zealand Serial No. 528617 filed November 25, 2003

New Zealand Serial No. 531103 filed February 12, 2004

PCT/NZ2004/000297 filed November 24, 2004

**POWER OF ATTORNEY**

As a named inventor, I hereby appoint D. Peter Hochberg, Reg. No. 24,603, and Sean Mellino, Reg. No. 48,817, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

SEND CORRESPONDENCE TO:

D. Peter Hochberg Co., L.P.A.  
The Baker Building - 6th Floor  
1940 East 6th Street  
Cleveland, Ohio 44114

DIRECT TELEPHONE CALLS TO:  
(Name and telephone number)

D. Peter Hochberg  
(216) 771-3800

**DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**SIGNATURE(S)**

Full name of sole or first inventor: Geoffrey Charles Peck

Inventor's signature

Date

10 May 2006

New Zealand

Country of Citizenship

28 Fisher Avenue, Beckenham, Christchurch 8002, New Zealand

Residence

28 Fisher Avenue, Beckenham, Christchurch 8002, New Zealand

Post Office Address

Full name of second joint inventor, if any: \_\_\_\_\_

\_\_\_\_\_  
Inventor's signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Country of Citizenship

\_\_\_\_\_  
Residence

\_\_\_\_\_  
Post Office Address

**CHECK PROPER BOX(ES) IF ANY OF THE FOLLOWING ADDED PAGE(S)  
FORM A PART OF THIS DECLARATION**

- ( ) Signature for third and subsequent joint inventors. Number of pages added \_\_\_\_\_
- ( ) Signature by administrator(trix), executor(trix) or legal representative of deceased or incapacitated inventor. Number of pages added \_\_\_\_\_
- ( ) Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. Number of pages added \_\_\_\_\_

\*\*\*

**If no further pages form a part of this Declaration then end this Declaration with this page and check the following item.**

**( X ) This declaration ends with this page.**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Geoffrey Charles Peck

Serial No.:

Filed: Herewith / Conf. No.

Title: IMPROVEMENTS IN OR RELATING TO SIFT-MS INSTRUMENTS

Attorney File: NW4248US (#90586)

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

APPLICATION DATA SHEET

1. Applicant Information (including name, residence, mailing address and citizenship):

Geoffrey Charles Peck  
Country of Citizenship: New Zealand  
Residence: Christchurch, New Zealand  
Mailing Address 28 Fisher Avenue, Beckenham, Christchurch, New Zealand

2. Correspondence Information:

D. Peter Hochberg Co., L.P.A.  
1940 East 6<sup>th</sup> Street – 6<sup>th</sup> Floor  
Cleveland, Ohio 44114  
Phone: (216) 771-3800 / Fax: (216) 771-3804  
Email: dphdocket@aol.com

Customer No. 28,672

3. Application Information:

Title: IMPROVEMENTS IN OR RELATING TO SIFT-MS INSTRUMENTS



Suggested Class/Subclass (also for provisional applns. w/o claims): H01J 49/40

Total number of drawing sheets: 1

Suggested drawing figure for publication: 2

Docket number assigned to application: NW4248US (#90586)

Type of application (e.g., utility, plant, design, reissue, provisional): Utility

Any significant part of application subject matter subject to secrecy order: No

4) **Representative Information (including Reg. No. of each practitioner having Power of Atty.):**

D. Peter Hochberg	Reg. No. 24,603
Sean Mellino	Reg. No. 48,817

D. Peter Hochberg Co., L.P.A.  
1940 East 6<sup>th</sup> Street – 6<sup>th</sup> Floor  
Cleveland, Ohio 44114  
Phone: (216) 771-3800 / Fax: (216) 771-3804  
Email: dphdocket@aol.com

Customer No. 28,672

5) **Foreign Priority Information (including appln. no., country and filing date of each foreign appln. for which priority is claimed, as well as any foreign appln. having a filing date before that of the appln. for which priority is claimed):**

This application is a National Stage application of International Application No. PCT/NZ2004/000297, filed on November 24, 2004, which claims priority of New Zealand application No. 528617 filed on November 25, 2003, and New Zealand application No. 531103 filed on February 12, 2004.



6) Assignee Information (including name – either person or juristic entity – and address of the assignee of the entire right, title and interest in an appln.):

SYFT Technologies Limited  
3 Craft Place  
Middleton  
Christchurch, 8002  
New Zealand

Respectfully submitted,

By: Sean F. Mellino

Sean F. Mellino  
Reg. No. 48,817

DPH/DS

D. Peter Hochberg Co., L.P.A.  
1940 E. 6th Street - 6<sup>TH</sup> Floor  
Cleveland, Ohio 44114  
Phone: (216) 771-3800  
Fax: (216) 771-3804

e-mail: [dphdocket@aol.com](mailto:dphdocket@aol.com)

Express Mail Certificate

I hereby certify that the paper(s) identified above, and any noted as being attached, is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and is addressed: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Express Mail No.: EV713319772US

Daniel Smola: Daniel Smola

Date: May 23, 2006